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INFORMATION DISCLOSURE TRANSMITTAL		Docket No. B0033/7001C3
Applicant:	Stephen A. Raymond, Geoffrey E. Gordon and Daniel B. Singer	
Serial No:	10/693,232	
Filed:	October 24, 2003	
For:	HEALTH MONITORING SYSTEM	
Examiner:	Not Yet Assigned	
Art Unit:	3762	

<p align="center">CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)</p> <p>The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 18, 2005.</p> <p align="right"><i>Julie Anne Morrissey</i> Julie Anne Morrissey</p>

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to bring information to the attention of the Examiner. The filing of this statement shall not be construed as a representation that a search has been made or as an admission that this information is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Enclosures

- ☒ A form PTO-1449 listing this information is attached
- ☒ A copy of each document cited is enclosed.
- ☐ Copies of the cited documents are not enclosed because

Fees

- ☒ This statement is filed before the later of (1) three months of (i) the filing of a national application or (ii) the entry date for the national stage of an international application or (2) the mailing date of a first office action on the merits. No fee is due.
- ☐ This statement is filed before the mailing date of a final office action, a notice of allowance or an action that otherwise closes prosecution, *and*
 - ☐ The submission fee of \$180.00 under 37 CFR §1.17(p) is enclosed, *or*
 - ☐ The following certification is made:
 - ☐ each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, *or*
 - ☐ no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign

application and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

- ☐ This statement is filed on or before payment of the issue fee, the submission fee of \$180.00 under 37 CFR §1.17(p) is enclosed, *and*
- ☐ each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or
- ☐ no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.


Payment

- ☐ A check in the amount of the submission fee is enclosed.
- ☐ Charge Account No. in the amount of the submission fee. A duplicate of this transmittal sheet is attached.

Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §1.16 and §1.17 required by the attached paper and during the entire pendency of this application to Account No. 02-3038.

Respectfully submitted,

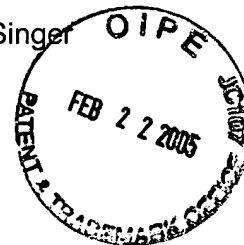

Philip L. Conrad, Esq. Reg. No. 34,567
KUDIRKA & JOBSE, LLP
Customer Number 021127
Tel: (617) 367-4600 Fax: (617) 367-4656

Date: February 18, 2005

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U.S. PATENT DOCUMENTS

Exam Inits	Cite No.	Patent Number	Kind Code	Patentee or Applicant Name	Issue Date
		4,531,527	A	Reinhold, Jr. et al.	7/1985
		4,889,132	A	Hutcheson, et al.	12/1989
		5,012,411	A	Policastro, et al.	4/1991
		5,518,002	A	Wolf, et al.	5/1996

FOREIGN PATENT DOCUMENTS

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OTHER PRIOR ART – NON PATENT LITERATURE AND DOCUMENTS

Exam Inits	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the articles (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		KARL BÄTTIG, JIRI KOS AND MARKUS HASENFRATZ; Smoking and Food Intake in a Field Study: Continuous Actometer/Heart Rate Recording and Pocket Computer Assisted Dietary Reports, Subjective Self-Assessments, and Mental Performance; Drug Development Research 31:59-70; 1994; Comparative Physiology and Behavioral Biology Laboratory, Swiss Federal Institute of Technology, Zurich, Switzerland; 1994 Wiley-Liss, Inc.	<input type="checkbox"/>
		I. BEINLICH, C. BOKEMEYER, U. RÄTH, R. WALTER-KIRST, J. HARTLAPP, I. MUSCHIOL, U. PRAAß and H.T. SCHNEIDER; Pen-Based Remote Data Entry System A Pilot Clinical Trial; Besondere Themen, EDV-unterstützte Datenerfassung in Klinischen Studies Special Themes Computer aided Data Entry in Clinical Studies; pp. 339-404; Arzaim-Forsch/Drug Res. 43 (I), No. 3 (1993)Beinlich et al – Data entry system	<input type="checkbox"/>
		KENT F. BURNETT, C. BARR TAYLOR, AND W. STEWART AGRAS; Ambulatory Computer-Assisted Therapy of Obesity: A New Frontier for Behavior Therapy; Journal of Consulting and Clinical Psychology, 1985, Vol. 50, No. 5, 698-703; 1985 by the American Psychological Associates, Inc.	<input type="checkbox"/>
		JENNIFER A. HAYTHORNTHWAITE, DAVID E. ANDERSON, AND LISA H. MOORE; Social and Behavioral Factors Associated with Episodes of Inhibitory Breathing; Journal of Behavioral Medicine, Vol. 15, No. 6, 1992; Accepted for Publication November 18, 1991; pp. 573-588; 1992 Plenum Publishing Corporation	<input type="checkbox"/>
		A. JACOBBER, M. HASENFRATZ AND K. BÄTTIG; Ultralight Cigarettes: Activity, Cardiovascular, Dietary, and Subjective Parameters; Pharmacology Biochemistry and Behavior; Comparative Physiology and Behavioral Biology Laboratory, Swiss Federal Institute of Technology, Turnerstrasse 1, ETH-Zentrum, CH-8092 Zurich Switzerland; Vol. 47, pp. 187-195, 1994; Copyright 1993 Pergamon Press Ltd.	<input type="checkbox"/>
		A.M. ROSENFALCK & I. BENDTSON; The Diva System a Computerized Diary, Used in Young Type 1 Diabetic Patients; Vol. 19 no. 1, 1993; Diabete & Metabolism (Paris) 1993, 19, 25-29	<input type="checkbox"/>
		WENDY B. SMITH and MARTIN A. SAFER; Effects of Present Pain Level on Recall of Chronic Pain and Medication Use; Department of Psychology, The Catholic University of America, Washington, DC 20064 (USA); Elsevier Science Publishers 1993	<input type="checkbox"/>

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	A. B. TATTERSALL and R. ELLIS; The Use of a Handheld Computer to Record Clinical Trial Data in General Practice: a Pilot Study; The Journal of International Medical Research 1989; 17: 185-189; 1989 by Cambridge Medical Publications Ltd.	<input type="checkbox"/>
	C. BARR TAYLOR, LESLIE FRIED and JUSTIN KENARDY; The use of a real-time computer diary for data acquisition and processing; Laboratory for the Study of Behavioural Medicine, Department of Psychiatry and Behavioral Sciences, Stanford University School of Medicine, Stanford, CA; Vol. 28, No. 1, pp. 93-97, 1990; 1990 Pergamon Press	<input type="checkbox"/>
	PETER TOTTERDELL and SIMON FOLKARD; In situ repeated measures of affect and cognitive performance facilitated by use of a hand-held computer; Behavior Research Methods, Instruments & Computers 1992, 24 (4), 545-553; 1992 Psychonomic Society, Inc.	<input type="checkbox"/>
	JED M. WALDMAN, SCOTT M. BILDER, NATALIE C.G. FREEMAN, and MARK FRIEDMAN; A Portable Datalogger to Evaluate Recall-Based Time-Use Measures; Journal of Exposure Analysis and Environmental Epidemiology, Vol. 3, No. 1, 1993; pp. 39-48; 1993 Princeton Scientific Publishing, Co., Inc.	<input type="checkbox"/>
	W. ZOGG, U. KOCH, E. HOLSBOER, U. HEMMETER, E. SEIFRITZ, J.W. MEYER, U. FROMM, A. GAFNER, T. KNECHT, A. KOLLER-LEISER, E.F. BANDLE; Clinician's assessments and patient's self-ratings by computer, a feasibility study with the antidepressant paroxetine; British Journal of Clinical Research 1993; 4:211-218; 1993 Brookwood Medical Publications, Ltd, UK.	<input type="checkbox"/>
	PHILLIP ROBINSON; San Jose Mercury News; Gridpad is the real thing now; Hardware Review; San Jose Mercury News/December 1990	<input type="checkbox"/>
	BILL ROMANO, San Jose Mercury News; S. J. Cops to get high-tech assistant; San Jose Mercury News, January 10, 1991	<input type="checkbox"/>
	GRID Newsletter; Gillette Equips Reps with Pen Computers; Fall 1991	<input type="checkbox"/>
	GRID Newsletter; Mobil Oil Speeds Product Deliveries with GRIDPAD Computers; Fall 1991	<input type="checkbox"/>
	GRID Newsletter; CSX Using New GRIDPAD for Fleet Inspections; Fall 1991	<input type="checkbox"/>

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		GRID Newsletter; DMS Develops GRIDPAD Application for San Francisco Building Inspectors; Fall 1991	<input type="checkbox"/>
		GRID Press Release, GRID Introduces PalmPAD, The First Wearable PC, March 1992	<input type="checkbox"/>
		GRIDPAD News, Helping Kellogg Edge Out the Competition; Gridpad News, Section 1, page 1; May 1991	<input type="checkbox"/>
		GRIDPAD News, As Use of Gridpad grows, Grid Systems Announces Plans for Future Pen-Based Products, May 1991	<input type="checkbox"/>
		Business Week, The Pen: Computing's Next Big Leap; Business Week, May 6 1990; 1990 McGraw-Hill, Inc.	<input type="checkbox"/>
		AT&T News Release; NCR Widens pen-based software options in alliance with GRID; June 24, 1992;	<input type="checkbox"/>
		AT&T News Release; Microsoft/NCR Seminars for Corporate Pen-Based Applications, February 4, 1992	<input type="checkbox"/>
		AT&T News Release; Pen-based purchase order system by NCR and JDS Solutions, October 19, 1992	<input type="checkbox"/>
		HAZEM M. ELZARKA, and LANSFORD C. BELL; Development of Pen-Based Computer Field Applications; Journal of Computing in Civil Engineering, Vol. 11 No. 2, April 1997; pp. 140-143	<input type="checkbox"/>
		RICHARD K. CITRON and DAVID R. DEUTSCH; Personal Digital Assistant – A Revolutionary Technology; July 1992	<input type="checkbox"/>
		STEPHEN HEPPELL; Newton Technology; Apple's MessagePad; created November 10, 1993;	<input type="checkbox"/>
		HAZEM M. ELZARKA, LANSFORD C. BELL and RICHARD L. FLOYD; Automated Data Acquisition for Bridge Inspection; Journal of Bridge Engineering; November 1999	<input type="checkbox"/>

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		Wise Guy; The Goal of a New Machine; Give us a telephone with a computer, not the other way around; MACWORLD; September 1993	<input type="checkbox"/>
		Digital ink begins to flow onto tablets; Pen-based computing boosted by release of Penpoint, Pen Windows; 1992	<input type="checkbox"/>
		LYNN KUNTZ; Computerizing Sensory Data; Computing Sensory Data; Food Product Design; Weeks Publishing Co. 1992	<input type="checkbox"/>
		RICK SMITH; New Portable Products; Reviews on-line; November 1993	<input type="checkbox"/>
		GEORGE ALEXANDER; The Promise of Pen Computing: Does It Make Sense in Publishing; 1992	<input type="checkbox"/>
		GEORGE ALEXANDER, CRAIG CLINE; Comdex/Fall '92: Portable Computers and the Dawn of a New PC Standard	<input type="checkbox"/>
		SEYBOLD REPORT on Desktop Publishing; Choosing Sides in the Pen-Environment Battle; Vol. 8, No. 3; Seybold Publications 1996	<input type="checkbox"/>
		SEYBOLD REPORT on Desktop Publishing; The PDA as seen by the phone company; Vol. 8, No. 4; Seybold Publications 1996	<input type="checkbox"/>
		SEYBOLD REPORT on Desktop Publishing; Comdex/Fall '93: Pentiums, PCI, PCMCIA and PDAs Proliferate; Vol. 8, No. 5; Seybold Publications 1996	<input type="checkbox"/>
		BENGT DAHLSTRÖM and SVEN-ÅKE ECKERNÄS; Patient Computers to Enhance Compliance with Completing Questionnaires, A Challenge for the 1990s; Patient Compliance in Medical Practice and Clinical Trials ; pp. 223-240; Raven Press, Ltd, New York; 1991	<input type="checkbox"/>
		A. KOOP; Lessons learned from 16 years usage of mobile computer in clinical trials;	<input type="checkbox"/>

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		H.U. GERBERSHAGEN; Pain course with electronic diaries Real-time measurements and sequential analysis; Journal for Rheumatology 50: Supplement 1, 29-37 (1991)	<input type="checkbox"/>
		W. BOLTEN, M. EMMERICH, E. WEBER, N. FAßMEYER; Validierung elektronischer an konventionellen Schmerztagebüchern; Z Rheumatol 50: Suppl 1 55-64 (1991)	<input type="checkbox"/>
		D. BRACKERTZ, E. LEONHART, H.-U. GERBERSHAGEN, C. PANHANS, M. SCHRÖDER, F.J. WAGENHÄUSER, J. LUTZ; Realzeiterfaßte Schmerzzeitprofile unter der Behandlung mit Ibuprofen; Z Rheumatol 50; Suppl 1 39-47 (1991)	<input type="checkbox"/>
		W. BRÜCKLE and W. MÜLLER; Schmerzverlauf und – topographie bei generalisierten Tendomyopathien; Z Rheumatol 50: Suppl 1 19-28 (1991)	<input type="checkbox"/>
		H.U. Gerbershagen; Schmerzverlauf mit elektronischen Tagebüchern, Realzeitmessungen und Zeitreihenanalysen; Z Rheumatol 50: Suppl 1 29-37 (1991)	<input type="checkbox"/>
		YVES A. LUSSIER, M.D., MICHAEL MAKSDUD, M.S., BENOIT DESRUISSEAU, M.D., PIERRE-PAUL YALE, M.D. and RENALD ST. ARNEAULT, M.D.; PureMD: a Computerized Patient Record Software for Direct Data Entry by Physicians; Department of Medical Informatics; American Medical Informatics Association, McGraw Hill 1992, pp. 261-264	<input type="checkbox"/>
		American Veterinary Computer Society Newsletter, 1993	<input type="checkbox"/>
		COURT TECHNOLOGY BULLETIN, NATIONAL CENTER FOR STATE COURTS, Vol. 3, Number 4, July/August 1991	<input type="checkbox"/>
		DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLIC HEALTH SERVICE Grant application of Saul Shiffman; 1989	<input type="checkbox"/>
		ARTHUR STONE; Coping with Marital Stress and Job Stress; Response to Summary Statement of Previous Version of this Proposal; 1992	<input type="checkbox"/>
		SAUL SHIFFMAN; Assessing Smoking Patterns and Motives; Journal of Consulting and Clinical Psychology; Vol. 61, No. 5, pp. 732-742; 1993	<input type="checkbox"/>

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		LOUIS A. PENNER, SAUL SHIFFMAN, JEAN A. PATY & BARBARA A. FRITZSCHE; Individual Differences in Intraperson Variability in Mood	<input type="checkbox"/>
		JEAN PATY, HON KASSEL and SAUL SHIFFMAN; The importance of assessing base rates for clinical studies: an example of stimulus control of smoking; 1992	<input type="checkbox"/>
		SAUL SHIFFMAN, LYNN A. FISCHER, JEAN A. PATY, MARYANN GNYS, MARY HICKCOX, and JON D. KASSEL; Drinking and Smoking: a Field Study of Their Association; 1994	<input type="checkbox"/>
		ANDREW GORE & MITCH RATCLIFFE; Newton's Law: A Digital Nomad's Guide; 1993	<input type="checkbox"/>
		KIRSTEN KAIER AHRING, JORGEN PHILIP KIAER AHRING, CAROL JOYCE and NADIR R. FARID; Telephone Modem Access Improves Diabetes Control in those With Inulin-Requiring Diabetes; Diabetes Care, Vol. 15, Number 8, August 1991 and accepted in revised form 22 December 1991	<input type="checkbox"/>
		ALAIN BILLIARD, VINCENT ROHMER, MARIE- GENEVIEVE JOSEPH, SYLVESTRO SURANITI, PHILIPPE GIRAUD, JEAN-MARIE LIMAL, PHILIPPE FRESSINAUD and MICHAEL MARRE; Telematic Transmission of Computerized Blood Glucose Profiles for IDDM Patients; 1991	<input type="checkbox"/>
		W. BOLTEN, M. EMMERICH, E. WEBER, N. FASSMEYER; Validation of electronic by conventional pain diaries, Z Rheumatol; 50 Suppl 1:55-64; 1991	<input type="checkbox"/>
		M E HYLAND, C A P KENYON, R. ALLEN, P. HOWARTH; Diary keeping in asthma: comparison of written and electronic methods; British Medical Journal 306; pp. 487-89	<input type="checkbox"/>
		I. BEINLICH, C.BOKEMEYER, U. RATH, R. WALTER-KIRST, J. HARTLAPP, J. MUSCHIOL; U. FRAASS, HT SCHNEIDER; Pen-based remote data entry system. A pilot clinical trial; Arzneimittelforschung.; 1993 March; 43 (3): 399-404	<input type="checkbox"/>
		Technology Date; Electronic Patient Diaries; Applied Clinical Trails;	<input type="checkbox"/>
		KATHY FALL, PRATHIMA AGRAWAL AND KRISHNA SIVALINGAM; Survey of Wireless Network Interfaces for Mobile computing Devices	<input type="checkbox"/>

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		JM RABIN, J. MCNETT, GH BADLANI; Computerized voiding diary; 1993	<input type="checkbox"/>
		BRIAN TIPLADY AND AUDREY H. JAMIESON; Use of pen-based electronic diaries in an international clinical trial of asthma; Drug Information Journal Vol. 34 pp. 129-136; 2000 Drug Information Association, Inc.	<input type="checkbox"/>
		JM WALDMAN, SM BILDER, NC FREEMAN, M. FRIEDMAN; A portable datalogger to evaluate recall-based time-use measures; PUB MED, National Library of Medicine;	<input type="checkbox"/>
		VivoMetrics-Continuous Ambulatory Monitoring; White papers; pp. 1-2	<input type="checkbox"/>
		NICHOLAS BARAN; The Outlook for Pen Computing; Pen-based computing struggles with its problems but looks to a bright future; September 1992 – BYTE	<input type="checkbox"/>
		BEVERLEY LEWIS, DANIEL LEWIS and GEOFF CUMMING; Frequent measurement of chronic pain: an electronic diary and empirical findings; Palm, 60 (1995) 341-347; 1995 Elsevier	<input type="checkbox"/>
		ARTHUR A. STONE, SAUL SHIFFMAN; Ecological Momentary Assessment (EMA) in Behavioral Medicine; 1994 The society of Behavioral Medicines	<input type="checkbox"/>
		MICHAEL J. ROSENBERG and JOHM R. HALDI; Accelerating Drug Development with Electronic Data Collection and Processing; Research Tools; November 1995	<input type="checkbox"/>
		PETER TOTTERDELL, EVELIEN SPELTEN, LAWRENCE SMITH, JANE PARTON and SIMON FOLKARD; Recovery from Work Shifts: How Long Does it Take?; Journal of Applied Psychology 1993, Vol. 80 No. 1; 43-57	<input type="checkbox"/>
		ROBERT M. CARR; The point of the pen; State of the Art, Laptop Technologies; February 1991; BYTE	<input type="checkbox"/>
		PUB MED; National Library of Medicine; Index summary listing items 81-100	<input type="checkbox"/>

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		PUB MED; National Library of Medicine; Index summary listing items 101-107	<input type="checkbox"/>
		BRIAN TIPLADY: List of Publications; Bibliography Brian Tiplady 1-6;	<input type="checkbox"/>
		HENRY BORTMAN; Computing on the go; Bridges Sneak Preview; March 1991; MacUser	<input type="checkbox"/>

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